

Municipal Clerk
Atlanta, Georgia

04-0-0898

AN ORDINANCE
BY: ZONING COMMITTEE

Z-04-33
Date Filed: 3-18-04

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1298 Donnelly Avenue, S.W.** be changed from the R-4 (Single-Family Residential) District, to the C-1 (Community Business) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 139 of the 14th District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk, CMG

ADOPTED by the Council
APPROVED by the Mayor

October 4, 2004
October 8, 2004



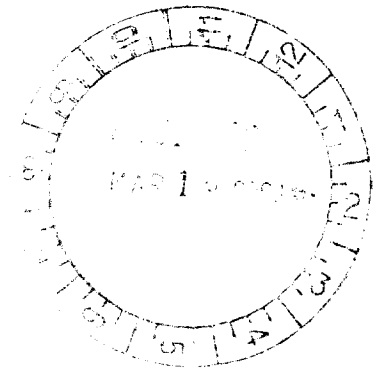
2-04-33

EXHIBIT A

Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 139 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at a nail found on the southwesterly right of way of Donnelly Avenue (50' R/W) said point being 48.67 feet southeasterly from its intersection with the southerly right of way of Allegheny Street (60' R/W); thence along said right of way of Donnelly Avenue south 55 degrees, 44 minutes, 02 seconds east, a distance of 50 feet to a ½ inch rebar set; thence departing said right of way south 34 degrees, 49 minutes, 31 seconds west, a distance of 152.07 feet to a ½ inch rebar set; thence north 56 degrees, 58 minutes, 20 seconds west, a distance of 50 feet to a ½ inch rebar set; thence north 34 degrees, 49 minutes, 01 seconds east, a distance of 153.15 feet to a said nail found at the POINT OF BEGINNING. According to the present system of numbering houses in Fulton County, Georgia. Improved property known as No. 1298 Donnelly Avenue, S.W.





The field data upon which this plat is based has a closure of 1 foot in 10,000+ feet, an angular error of .03 seconds per angle point and was adjusted using the Compass Rule Method. This plat has been calculated for closure and found to be accurate to 1 foot in 110,000+ feet. An electronic total station and a 100' chain were used to gather the information used in the preparation of this plat. No State Plane Coordinate Monument found within 500' of this property.

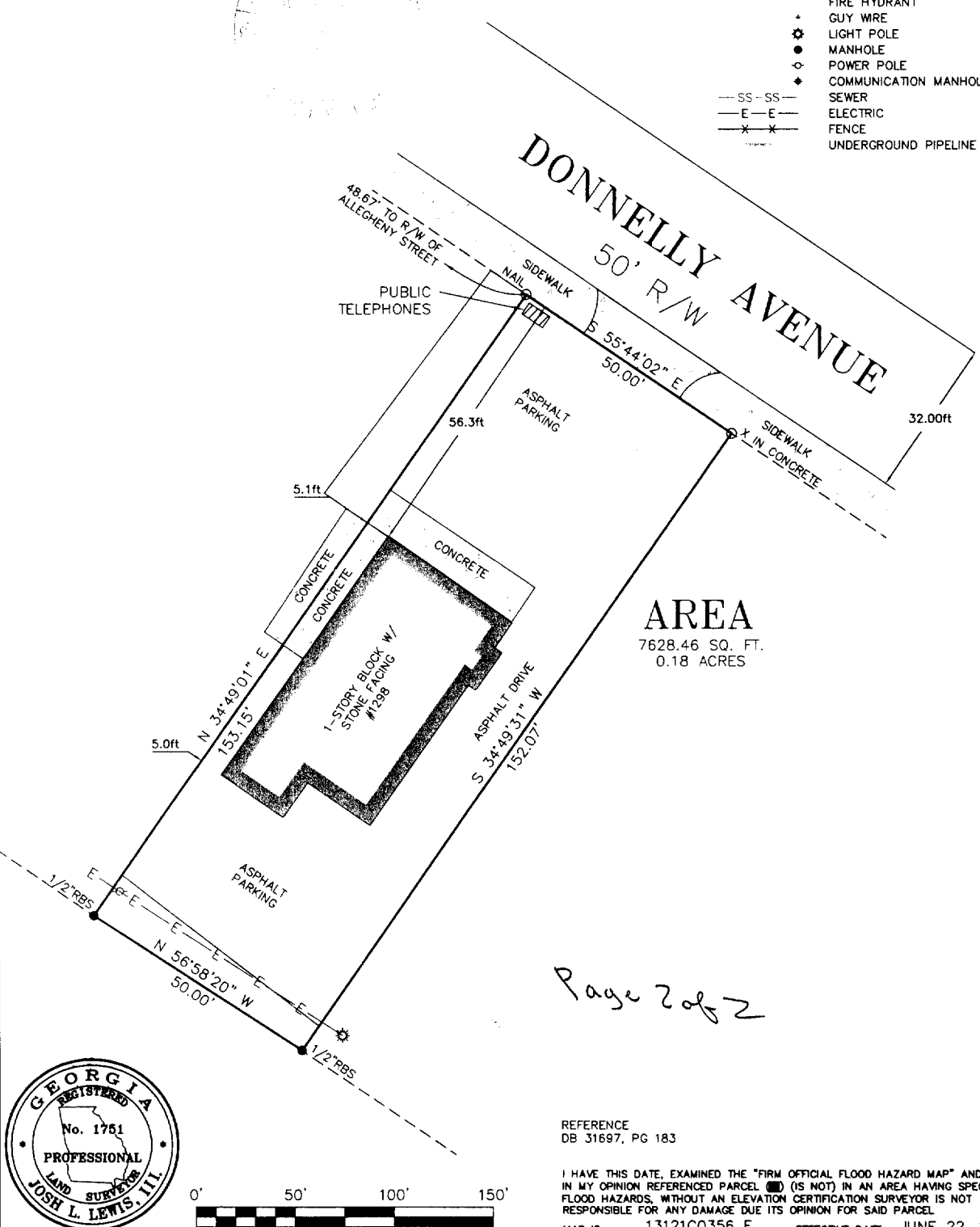
LEGEND

These standard symbols will be found in the drawing.

- ▲ TRAVERSE POINT
- 1/2" REBAR SET
- IRON PIN FOUND
- CATCH BASIN
- DRAIN
- FIRE HYDRANT
- GUY WIRE
- LIGHT POLE
- MANHOLE
- POWER POLE
- COMMUNICATION MANHOLE
- SEWER
- ELECTRIC
- FENCE
- UNDERGROUND PIPELINE



20433



AREA
7628.46 SQ. FT.
0.18 ACRES

Page 2 of 2



REFERENCE
DB 31697, PG 183

I HAVE THIS DATE, EXAMINED THE "FIRM OFFICIAL FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE ITS OPINION FOR SAID PARCEL

MAP ID 13121C0356 E EFFECTIVE DATE : JUNE 22, 1998

PLAT PREPARED FOR :		DATE 2/20/04	GA. LAND SURVEYING CO., INC. LAND SURVEYING ~ LAND PLANNING 155 CLIFTWOOD DRIVE ATLANTA, GEORGIA. 30328 PHONE (404) 255-4671 FAX (404) 255-6607	REVISION: DATE:
TOM QUANG THAN		SCALE 1" = 20'		
LAND LOT 139	14TH DISTRICT	SECTION FULTON COUNTY, GEORGIA		
LOT	BLOCK	UNIT		
SUBDIVISION				

RCS# 6100
10/04/04
4:08 PM

Atlanta City Council

Regular Session

04-O-0898

Z-04-33; 1298 DONNELLY AVENUE REZONE
9-R-4 TO C-1
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	B Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

04-O-0898

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(Do Not Write Above This Line)

AN ORDINANCE Z-04-33
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE
R-4 (SINGLE-FAMILY RESIDENTIAL)
DISTRICT TO THE C-1 (COMMUNITY
BUSINESS) DISTRICT, PROPERTY
LOCATED AT 1298 DONNELLY AVENUE,
S.W. FRONTING 50 FEET ON THE
SOUTHWESTERLY SIDE OF DONNELLY
AVENUE BEGINNING 48.67 FEET
SOUTHEASTERLY FROM THE SOUTHEAST
CORNER OF ALLEGHENY STREET.
DEPT: 153.15 FEET
AREA: 7628.46 SQ. FEET
LAND LOT 139, 14TH DISTRICT,
FULTON COUNTY, GEORGIA
OWNER: TOM Q. THAU
APPLICANT: RICK S. SEXTON

NPU 'T' COUNCIL DISTRICT 4

ADOPTED BY

OCT 04 2004

COUNCIL

- ☐ CONSENT REFER
☒ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER

Date Referred

5/17/2004

Referred To:

ZRB & Zoning

First Reading

Committee

Date

Chair

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

Refer To

COUNCIL ACTION

☒ 2nd

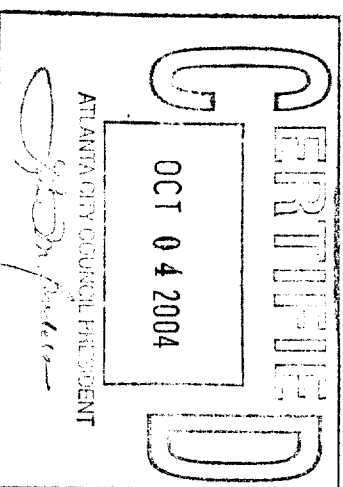
☐ 1st & 2nd

☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED



MAYOR'S ACTION

OCT 08 2004

MAYOR